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Chairman: Mr. AL-SHAALI (United Arab Emirates)

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The meeting was called to order at 3.05 p.m.

AGENDA ITEM 92: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (A/46/3 (chap. IV, sect. A), A/46/18, 166, 183, 184, 344, 391, 447, 465, 501, A/C.3/46/2, E/1991/39)

AGENDA ITEM 93: RIGHT OF PEOPLES TO SELF-DETERMINATION (A/46/166, 184, 292, 294, 304, 344, 459 and 501)

1. Mr. MARTENSON (Under-Secretary-General for Human Rights) said that racial discrimination constituted one of the greatest dangers to the human community, since it marginalized groups of the population, created insupportable tensions and could even lead to social explosions of untold consequences. No society could tolerate racism against any of its members without endangering the human rights of all. Similarly, the international community could not tolerate racism without risk to the peace and human rights of each of its members. In 1987, as Coordinator for the Second Decade to Combat Racism and Racial Discrimination, he had pointed out that the lack of financial resources was seriously handicapping the realization of the Programme of Action for the Second Decade and many other important activities like the work of the Committee on the Elimination of Racial Discrimination. In spite of those obstacles, significant progress had been made in implementing the Programme of Action, and for the first time in a number of years that Committee had been able to hold its two annual sessions. Various meetings had been held under the Programme of Action, namely, the global consultation on racism and racial discrimination in 1988; the seminar on the effects of racial discrimination on the social and economic relations between indigenous peoples and States, and the seminar on cultural dialogue between the countries of origin and host countries of migrant workers, in 1989; the seminar on the political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid in 1990; and the expert meeting to review experience of countries in the operation of schemes of internal self-government for indigenous populations in 1991.

2. It was vital to improve cooperation and coordination within the United Nations system with regard to activities against racial discrimination. As Coordinator for the Second Decade, he had suggested that the Committee on the Elimination of Racial Discrimination and the Subcommission on Prevention of Discrimination and Protection of Minorities should hold a joint meeting on common issues, and it had taken place in August 1991.

3. He had raised with the competent agencies and bodies the issue of how best to prepare a realistic and viable programme for the proposed Third Decade, as well as how the issue of racism and racial discrimination could best be dealt with by the World Conference on Human Rights in 1993. The General Assembly might begin reflecting on a programme of action for a Third Decade, which should take into account the new manifestations of racism, for example against migrant workers, refugees and minorities, and the resurgence

(Mr. Martenson)

of anti-Semitism, and focus attention on national activities promoting human dignity and combating discrimination.

4. Although racial discrimination remained a problem nationally and internationally, the activities of the international community had produced tangible results. There had been, for instance, the refutation of the pseudo-scientific theory of racism thanks, in particular, to the work of the United Nations Educational, Scientific and Cultural Organization (UNESCO) which had demonstrated that the genetic diversity and richness of individuals far exceeded any common genetic structures of groups. Another achievement had been to strip the abhorrent policy of apartheid in South Africa of any semblance of legitimacy, a result of the profound and active concern of the United Nations with eradicating racial segregation and persecution. On that point, he had insisted on the importance of taking two steps at the national level: discrimination must be made illegal, and equal opportunity for all must be ensured. Those steps, taken together, could be the basis for progress in eliminating racial discrimination. He had also suggested that national ombudsmen responsible for combating discrimination should be appointed, and that national leaders and institutions should make a solid undertaking to combat the scourge of discrimination and eradicate it from national life.

5. The United Nations human rights programme had been able to respond to new opportunities and challenges, despite its limited resources, and progress had been made in areas with a direct impact on the struggle against racial discrimination, such as heightening public awareness of human rights, strengthening relations with non-governmental organizations, and expanding United Nations assistance to countries in establishing national institutions and training national personnel to deal with human rights. Also, the Programme of Advisory Services and Technical Assistance had organized seminars and training courses on the basic principle of equality and the struggle against discrimination. Developments in Africa had also enabled the Centre for Human Rights to extend assistance. A programme had been developed for the African Commission on Human and People's Rights and support was also being given to the African Centre for Democracy and Human Rights Studies in Banjul and the Arab Institute of Human Rights in Tunis. In addition, in June 1991, the African seminar on international human rights standards and the administration of justice had been held in Cairo, and the seminar on international human rights standards and constitutional law, organized by the Centre for Human Rights and the World Council of Churches in consultation with the Centre Against Apartheid, had been held in Geneva.

6. The Programme of Advisory Services had also organized seminars and courses in Eastern and Central Europe as a way of providing support for the process of democratization. It had provided assistance in the technical and legal aspects of elections to Romania and Albania and in constitutional drafting to Romania and Mongolia. Agreements for wide-ranging assistance had been concluded with Bulgaria, Poland and Romania. In Latin America as well, workshops and seminars had been held and assistance had been agreed upon with

(Mr. Martenson)

three Governments. Consideration was being given to establishing centres for information, documentation and training in that and other regions. Regional and national seminars had also been held in Manila and New Delhi, in cooperation with the respective governments, and additional workshops would take place in Mongolia and Jakarta. Lastly, the International Conference of National Institutions for the Promotion and Protection of Human Rights had been organized by the Centre in Paris, in cooperation with the Government of France, in October 1991. All those activities had helped to lay the foundations of a universal culture of human rights. The objective was to bring the Universal Declaration of Human Rights to the consciousness of every person on earth, because in order to enjoy rights, one had to know them.

7. A first step on the road to a universal culture of human rights would be universal ratification of the International Covenants on Human Rights and the Convention on the Elimination of All Forms of Racial Discrimination, if possible before the World Conference on Human Rights in 1993.

8. Another issue which would have importance for future Committee activities was how to respond to massive and systematic violations of human rights, an issue to which the General Assembly had given priority. In the past 20 years, human rights bodies had gained significant experience in confronting human rights violations. International standards existed and information was available, but ways must be found to alter the conduct of those involved in such actions. Established mechanisms for the promotion and protection of human rights must continue to be strengthened, consolidated and renewed.

9. The promotion of democracy would also be crucial, given that it was a necessary condition for the recognition of basic human rights. The Universal Declaration of Human Rights had recognized a democratic society as its ultimate aim and had set out a number of specific rights essential to democracy, including freedom of expression and association, and the right to participate in government. However, the right to live in a democratic society was not explicitly recognized, nor had the relationship between human rights and democracy been fully explored. The desire to live free in a democratic society was truly universal and merited the support of the Committee, as part of its activities to ensure respect for all human rights. The opportunities to promote such respect had never been greater, nor had the burden of responsibility for effective action by the United Nations been heavier. By beginning its discussion with a consideration of the enjoyment of human rights without racial discrimination and the right of peoples to determine their own destiny, the Third Committee was well on the road to understanding the challenges awaiting it and seeking effective measures in response.

10. Mr. GALADANÇHI (Nigeria) said that, at a time when progress was being made towards a new world order that must be collectively defined and defended, the United Nations role was more central than ever in working towards the elimination of racism and racial discrimination and in guaranteeing the right of peoples to self-determination.

(Mr. Galadanchi, Nigeria)

11. The institutionalized form of racism existing in South Africa was an affront to human dignity. Some changes had taken place in the country, however, and it was to be hoped that the eradication of apartheid would be accelerated. Events such as the agreement between the United Nations High Commissioner for Refugees and the Government of South Africa on the return of political exiles and refugees indicated positive changes in the situation. It must not be forgotten, however, that the changes introduced were far from radical and that South Africa was still governed by a racist and discriminatory constitution. It would be necessary, therefore, to continue applying sanctions and exerting pressure for compliance with international human rights standards. Nigeria would support the establishment of a transitional government in South Africa which would oversee the election of a constituent assembly to formulate a democratic constitution based on universal suffrage.

12. Nigeria was concerned over the continuing violence in South Africa, and hoped that the signing of a national peace accord between the African National Congress (ANC) and the Inkhata movement would bring an end to the fratricidal struggle.

13. The way in which the world had greeted the newly independent States of Latvia, Lithuania and Estonia was proof that independence was universally considered as the fitting epilogue to years of struggle for self-determination.

14. Nigeria supported the right to self-determination of the people of Western Sahara and the forthcoming referendum, which represented an important step towards a just and lasting settlement of the conflict in the region. It was grateful for the indefatigable efforts of the Secretary-General and his Special Representative to the United Nations Mission for the Referendum in Western Sahara (MINURSO), Ambassador Monz. Furthermore, in its capacity as the current Chairman of the Organization of African Unity (OAU), Nigeria gave its assurance of cooperation with the Special Representative.

15. The denial of the right to self-determination was usually accompanied by aggression, occupation by foreign forces, colonial domination and mercenary intervention. The Middle East was another region where such characteristics could be seen. In that case, the victim was the Palestinian people. Nigeria welcomed the efforts being deployed to arrive at a peaceful resolution of the issues, and hoped that the current peace process sponsored by the United States of America would culminate in a peace conference that would recognize both the right of the Palestinians to a homeland and the right of Israel to exist.

16. He shared the joy of the newly independent States as they joined the community of nations, and hoped that the Organization could soon welcome those Territories still fighting for their self-determination.

17. Miss LISSIDINI (Uruguay) said that there would be no human progress whatsoever while racism and racial discrimination continued.

18. Congratulations were in order for the positive measures adopted by the Government of South Africa towards the goal of dismantling apartheid. Nevertheless, until a constitution guaranteeing a democratic society had been established and political prisoners released, the international community must remain concerned with changing events in that country.

19. New manifestations of discrimination, intolerance and xenophobia affecting ethnic minorities, indigenous populations, migrant workers and other vulnerable groups were a cause for concern. With a view to an end to all forms of racial discrimination, Uruguay supported the proclamation of the Third Decade to Combat Racism and Racial Discrimination to begin in 1993.

20. Racism and racial discrimination were deeply rooted in some societies, and could not be eradicated overnight. Consequently, long-term efforts to educate people were required, and seminars and training courses on all aspects of racism should continue to be held. In that context, the decision by the Subcommission on Prevention of Discrimination and Protection of Minorities to update the report on racial discrimination prepared in 1976 by Mr. Santa Cruz was highly appropriate.

21. Uruguay viewed with interest the model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination. For some time, Uruguayan law had penalized the promotion of associations fostering racial hatred or conflict. That legislation had been strengthened by the inclusion of a provision making the fact that a crime was committed out of racial, religious, ethnic or social hatred or contempt an aggravating factor.

22. Given the important role played by the Committee on the Elimination of Racial Discrimination, her delegation echoed the concern expressed by other delegations regarding its difficult financial situation.

23. International instruments against racial discrimination and apartheid must be genuinely universal in order to be effective and all States must therefore become parties to them.

24. With regard to the item on self-determination of peoples, Uruguay welcomed the independence and recent admission to the United Nations of Latvia, Lithuania and Estonia, as well as the Marshall Islands and the Federated States of Micronesia.

25. Her delegation hoped that other nations which had not yet done so would soon achieve independence. In the case of the people of Western Sahara, she hoped that the peace plan would lead to a satisfactory outcome.

(Miss Lissidini, Uruguay)

26. Regarding the use of mercenaries, the report of the Special Rapporteur (A/46/459) indicated that there had been a decline in mercenary activities in some regions, but that groups spreading terror and mercenaries acting alone or with terrorist groups continued to exist. The International Convention against the Recruitment, Use, Financing and Training of Mercenaries was an essential instrument in the fight against such activities. Uruguay had signed that Convention and was in the process of completing the legal formalities for its ratification.

27. Mr. JAAFARI (Syrian Arab Republic) said that mankind, having attained a high degree of civilization and interdependence, still had to confront the major challenges of racism and denial of the right of peoples to self-determination. Victory was assured, however, for those who remained indifferent to injustice and suffering would sooner or later yield to the course of history. Recent international events showed that a new era had begun where the struggle of peoples to achieve independence, decide their own destiny and free themselves of all forms of oppression was beginning to bear fruit.

28. With respect to South Africa, some saw only a positive turn of events and did not look at the other side of the coin. However, the sad reality was that the white minority, which continued to deprive the black majority of its rights and its rich national heritage, had plotted to instigate bloody conflicts among the indigenous population in order to set off a fratricidal war which would cause them to forget their legitimate grievances.

29. Syria was not indifferent to the changes, if they were broad and positive, but there was still a wide gap between measures taken thus far and the objectives of the people of South Africa as expressed in the pertinent United Nations resolutions. For that reason, Syria supported the appeal by Nelson Mandela to the international community to continue exerting pressure on the Pretoria regime and applying sanctions until all vestiges of apartheid had been eliminated and a democratic system governed by a non-racist constitution had been established.

30. The denunciation of the South African regime would not be complete without a similar denunciation of the practices of its Israeli counterparts in the occupied Arab and Palestinian territories against a people languishing under the yoke of occupation. The complementary nature of those two racist regimes was demonstrated by the fact that neither Israel nor South Africa had signed the International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973

31. Both regimes cooperated in the use of mercenaries by means of international networks with the purpose of destabilizing the Governments of African countries opposed to the racist regime in South Africa, as noted in the preliminary report of the Special Rapporteur on the use of mercenaries (A/46/459). The report of the Committee on the Elimination of Racial

(Mr. Jaafari, Syrian Arab Republic)

Discrimination (A/46/18) discussed in detail the situation in the occupied territories, Israeli practices and the disregard by Israel for the Geneva Convention Relative to the Protection of Civilian Persons in Time of War and all General Assembly and Security Council resolutions.

32. He recalled General Assembly resolution 45/74 and Security Council resolution 681 (1990), which requested all parties to the Geneva Convention to ensure that Israel respected that Convention. All the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories were full of denunciations of systematic and daily Israeli violations of the rights of Palestinians in the occupied Arab territories. He wondered if the occupation of the homes of peaceful Palestinians by a band of Israeli extremists in East Jerusalem which had occurred the previous day was not an act of terrorism.

33. He denounced the cooperation between Israel and South Africa, whose basic objective was to obstruct international collective measures aimed at establishing peace, stability and justice in the Middle East and southern Africa. There was no other way of interpreting Israel's non-compliance with Security Council resolutions, in particular resolution 465 (1980), which urged Israel to end the establishment of settlements in the occupied Arab territories including Jerusalem, and stated that the settlement of new immigrants in those territories constituted a flagrant violation of the Fourth Geneva Convention. It was paradoxical that Israel was involved in a dispute with the United States Government because the latter had decided to postpone approval of loan guarantees amounting to $1 billion intended to cover the costs of immigration of Soviet Jews and to allow some of them to establish new settlements in the occupied Arab territories, despite the fact that one of the paragraphs of resolution 465 (1980) urged all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories.

34. Israel maintained that the United States Government, which was attempting to find a comprehensive and peaceful solution in the Middle East based on Security Council resolutions 242 (1967) and 338 (1973), was reneging on its commitments, by reason of a legitimate resolution adopted in 1980.

35. He would have preferred to confine himself to those generalities and not to dwell on all too familiar details concerning the oppressive practices applied by Israel in the occupied territories, southern Lebanon and the Syrian Arab Golan: annexation, construction of settlements, deportation, administrative detention for years, demolition of homes, confiscation of land, denial of civil and human rights of the citizens and dozens of assassinations on the pretext of curbing the intifadah.

36. He mentioned all the treaties and conventions to which his country was a party and said that, as it was Arab and Muslim, it had a clean record of no racial discrimination against any minority resident in its territory, a fact acknowledged by many international historians, some of whom were Jewish.

(Mr. Jaafari, Syrian Arab Republic)

37. His country welcomed the achievements of the Second Decade to Combat Racism and Racial Discrimination and shared the view that a third decade should be proclaimed in order to complete the work of the Second Decade, adopt measures to consolidate the gains and satisfy the aspirations of peoples for freedom.

38. Mr. STREJCZEK (Poland) said that his delegation regarded the struggle against racism as an integral part of international endeavours to achieve democracy and respect for human rights. He noted recent activities undertaken to implement the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and said that a third decade should be proclaimed.

39. His delegation fully supported the conclusions and recommendations contained in the report of the Committee on the Elimination of Racial Discrimination (A/46/18) and in the report on the financial situation of that Committee (A/46/447). It regretted that the work of the Committee remained hampered by the late submission of country reports and by insufficient funding which resulted from States Parties not fulfilling their financial obligations. It appealed to those States to pay their contributions so that the Committee could be brought out of the current crisis. Although his delegation supported the recommendations contained in Commission on Human Rights resolutions 1990/20 and 1990/25 it would prefer that a contingency reserve fund not be established, especially since the amount involved was very modest.

40. His delegation was convinced that the apartheid system was one of the most serious problems to which priority attention should be given. Poland had always condemned the immoral system of institutionalized State racism. While it could not deny the significant developments in South Africa, it would like to see that country a fully democratic State in which all peoples and nationalities could enjoy equal rights. His delegation hoped that all parties and political forces in South Africa would solve their differences by peaceful means and in that respect welcomed the agreement reached between the Government of South Africa and the United Nations High Commissioner for Refugees on the return of refugees and political exiles to the country. It also welcomed the signing of the national peace accord.

41. His delegation considered xenophobia and racism to be shameful; it therefore regarded the problem of national minorities and ethnic groups as a very important one and supported the initiative of the Minister for Foreign Affairs of Czechoslovakia to convene a regional seminar on questions related to the Gypsy population.

42. The right to self-determination was likewise one of the most important on the agenda of the United Nations. In that context his delegation welcomed with deep satisfaction the restoration of the Statehood of the three Baltic Republics.

(Mr. Strejczek, Poland)

43. Poland supported the right of the Palestinian people to exercise self-determination and to decide its own future, including the right to establish an independent State if it chose to do so, within the framework of a peace settlement for all the Middle East on the basis of the relevant United Nations resolutions. It fully supported the initiative to convene a peace conference on the Arab-Israeli conflict. However, it considered that resolution 3379 (XXX), in which zionism was determined to be a form of racism, was an obstacle to achieving a peaceful solution in the Middle East and should be repealed.

44. Poland also welcomed all steps being made towards peaceful settlements regarding the issues of Yugoslavia, Cambodia, Afghanistan and Western Sahara.

45. Mr. MANSOUR BIN KHALID (Saudi Arabia) said that issues relating to the elimination of racism and racial discrimination had acquired special significance at a time when a new world order was being consolidated, founded on strengthening cooperation between States and on the renunciation of the use of force in resolving international conflicts. Nothing was more indicative of that than the implementation of resolutions related to the unjust occupation of and aggression against Kuwait which had led to the restoration of Kuwait's sovereignty and independence and enabled its people to exercise all their rights in their land.

46. His delegation hoped that the Committee would continue to consider items related to continuing inhuman Israeli practices in the occupied Arab territories which denied the right of the Palestinian people to self-determination despite the will of the international community as expressed in United Nations resolutions. It hoped that justice would prevail and injustice and oppression would be removed.

47. He thanked the Committee on the Elimination of Racial Discrimination for its continued efforts to obtain specific information on the economic and educational situation in the occupied territories and its persistence in attempting to determine whether the Geneva Convention relative to the Protection of Civilian Persons in Time of War was applicable to the territories.

48. He hoped that the process of the elimination of racism would continue in South Africa and was happy to note the achievements of the Committee through resolutions on the elimination of racism in that country. It was to be hoped that those efforts would continue until all forms of apartheid were eliminated.

49. In conclusion, Saudi Arabia wished to reiterate its support for resolutions relating to the right of peoples to self-determination and the elimination of all forms of injustice and oppression.

50. Mrs. SILVA SUNIAGA (Venezuela), speaking on behalf of the Group of Three, comprising Colombia, Mexico and Venezuela, denounced the system of racial segregation practised by South Africa as a crime against humanity which contravened the most basic rights of the black majority. It was vitally important that the system should be dismantled and not modified, since in that way a new and egalitarian society would emerge.

51. She expressed concern over the lifting of sanctions against South Africa by some Member States. Although positive steps had been taken to abolish the apartheid system, it would not be possible to talk of fundamental change in South African society until a new democratic and non-racial constitution had been promulgated. The lifting of sanctions should be a decision of the United Nations, to be taken when the Government of South Africa had given reliable proof of its intention to initiate genuine, irreversible change in the current system, as established in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted at the sixteenth special session of the General Assembly, and in numerous General Assembly and Security Council resolutions on the matter.

52. Referring to the note by the Coordinator of United Nations Activities (A/C.3/46/2), she expressed satisfaction that a joint meeting of the Committee on Elimination of Racial Discrimination and the Subcommission on the Prevention of Discrimination and the Protection of Minorities had been held, congratulated both bodies on their work and supported the proposal for a Third Decade to Combat Racism and Racial Discrimination beginning in 1993. Nevertheless, greater political will was needed if the recommendations were to be carried out satisfactorily, as the main goals of the Second Decade had not yet been achieved in spite of the efforts of the international community.

53. The resurgence of acts of racial hatred in various parts of the world was alarming. Persons belonging to minority groups, including refugees, indigenous persons and migrant workers and their families, were too often victims of such acts. In that connection, she emphasized the importance of approval by the United Nations General Assembly of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. That international instrument would play a vital part in safeguarding the human rights of migrant workers, as it contained a set of new rules which would constitute an important contribution to the development of international humanitarian law and supplement the present international conventions on the subject.

54. The useful work carried out by the Committee on Elimination of Racial Discrimination during the current year had been made possible by the availability of sufficient funds to hold two meetings, which had not happened since 1987. In that connection, her delegation called on the States which had not yet met their financial obligations to do so as quickly as possible so as to ensure that the Committee would have the resources necessary to carry out its work.

(Mrs. Silva Suniaga, Venezuela)

55. The Convention against the Recruitment, Use, Financing and Training of Mercenaries was a significant step towards the eradication of the use of mercenaries, which violated human rights and infringed the right of peoples to self-determination. It was to be hoped that the Convention would take into account other types of mercenary activity and would include nationality as an element defining mercenary activity.

56. She reiterated her delegation's support of the principle of the self-determination of peoples laid down in General Assembly resolution 1514 (XV) and the Organization's efforts to promote the exercise of that right in various parts of the world, as such initiatives unquestionably contributed to the maintenance of international peace and security.

57. Mr. HUSSAIN (Pakistan) said it was one of the basic objectives of the United Nations to promote respect for human rights and fundamental freedoms for all. Unfortunately, however, in spite of the international instruments and declarations on human rights adopted, and the goals established, racism and racial discrimination continued to exist and remained one of the greatest challenges facing the world. The United Nations had always taken a firm stand on the issue and had made strenuous efforts to end those practices.

58. Racism was reflected in its most extreme form in the abominable system of apartheid practised in South Africa. The United Nations had repeatedly affirmed that the policy of apartheid was a crime against humanity, was incompatible with the Charter and the Universal Declaration of Human Rights and seriously undermined international peace and security. It had also affirmed that the total eradication of apartheid and the creation of a free, united and democratic system in South Africa constituted necessary steps towards the establishment of a non-racial society based on justice, equality, self-determination and majority rule through free and fair elections. The inhuman system of apartheid through which the immense black majority of the country continued to be oppressed must continue to be condemned as long as the establishment of a free, non-racial and democratic South Africa remained a dream.

59. It was true that the Pretoria regime had undertaken significant steps to remove the legislative pillars of apartheid, but those steps were insufficient. It was necessary urgently to address and overcome the obstacles impeding the commencement of negotiations on the constitutional future of the country. To ease the sanctions against South Africa at the present stage would not only be counter-productive and premature, but would deprive the international community of the leverage it could continue to exert on the Pretoria regime until the time when a new South Africa became a fact rather than a hope. His delegation welcomed the signing of the National Peace Accord, but the outbreak of violence between the different communities was a matter of concern because it disrupted the transition towards a climate of free political activity.

(Mr. Hussain, Pakistan)

60. The United Nations Second Decade for Action to Combat Racism and Racial Discrimination was now in its final stages, but its goals remained unrealized. His delegation was pleased that in spite of resource constraints a broad programme of activities was being carried out under the Decade. It was necessary, however, to implement the programmes approved for the Decade on a priority basis and to give serious thought to the preparation of the Programme of Action for the Third Decade - which, it was to be hoped, would be the last.

61. The Committee on the Elimination of Racial Discrimination had done excellent work in monitoring violations of the Convention on the Elimination of All Forms of Racism and Racial Discrimination. It was therefore important, in view of the serious financial crisis it had recently undergone, to strengthen it so that it could discharge its mandate effectively.

62. His country had consistently supported all actions and resolutions of the United Nations aimed at the elimination of racism, racial discrimination and the apartheid system in South Africa. Under the constitution of Pakistan all were equal before the law and enjoyed equal protection without distinction of any kind. There were no laws or regulations creating or perpetuating racial discrimination, as such laws would be unconstitutional and un-Islamic. Pakistan had proscribed all contacts with South Africa in compliance with the relevant United Nations resolutions.

63. At a time when the cold war and confrontation were giving way to cooperation and coexistence, the system of apartheid was anachronistic. Efforts must be redoubled to eliminate that scourge from the face of the earth. His country was confident that the resolute and concerted efforts of the international community to eliminate racism and racial discrimination, and especially the abhorrent system of apartheid, would soon achieve fruition.

64. Mr. ENDREFFY (Hungary) said that the elimination of racism and racial discrimination had always been a central task of the United Nations. The widespread recognition of the importance of the issue was clearly reflected in the fact that 129 States had now become parties to the Convention on the Elimination of All Forms of Racial Discrimination, making it the most universal human rights instrument of all.

65. It was regrettable that, in spite of the successes recorded by the Committee on the Elimination of Racial Discrimination, a large number of States parties to the Convention had not yet fulfilled their financial obligations under article 8, paragraph 6 of the Convention.

66. Although the best solution would be for States parties to fulfil their financial obligations, his delegation was open to initiatives intended to establish a more secure basis for future financing of the Committee's costs. In spite of the considerable progress made in the fight against racism, it must be admitted that hardly a single society was completely free from racism

(Mr. Endreffy, Hungary)

and racial discrimination and that in some cases there had even been a resurgence of discrimination, racial hatred, intolerance and xenophobia. Although the second Decade to Combat Racism and Racial Discrimination had not yet come to an end, a Third Decade would be needed which would make it possible to intensify efforts at the national and international level.

67. The institutionalized State racism in South Africa, apartheid, was without a doubt the most abhorrent form of racial discrimination, and all members of the international community must therefore continue fighting for its complete elimination. That said, Hungary welcomed the positive developments that had occurred in South Africa, such as the recent dismantling of the legislative pillars of apartheid. That would, it hoped, create the conditions for substantive negotiations on a new constitution for a democratic, united and non-racial society in South Africa.

68. Discrimination in any of its forms led to tensions and conflicts everywhere, and human rights violations or discrimination against national minorities aggravated already tense situations. The recent developments in Eastern Europe had increased the awareness that problems of that kind were serious and the recognition that violations of the rights of national minorities were a legitimate concern of the international community. At the regional level, the Conference on Security and Cooperation in Europe had held a meeting in Geneva of experts on national minorities and that same issue had been considered in another meeting held recently in Moscow. Despite the progress achieved in the context of the Conference, new efforts should be made at the international level to promote democratic frameworks within which the rights of minorities would be respected.

69. The right of peoples to self-determination was a fundamental one, since its achievement was a condition for the full enjoyment of other human rights. Hungary shared the view that the right to self-determination was related to other principles of international law and involved the right of peoples to determine freely their political status and to express their will in genuine, regular elections. Hungary welcomed the restoration of the sovereignty and independence of the Baltic States and the fact that Kuwait had regained its independence, sovereignty and territorial integrity.

70. It was concerned that the right to self-determination was still being denied to the Palestinian people. It supported the current diplomatic efforts aimed at the convening of a peace conference in the Middle East. The hope was that this would lead to a comprehensive, just and lasting settlement of the conflict, which would provide both for the right of the Palestinian people to self-determination and for Israel's right to live in peace within secure and recognized borders.

71. In conclusion, Hungary supported the United Nations role in Cambodia and Western Sahara, where it was seeking to ensure that those peoples would exercise the right to self-determination.

72. Mrs. SEMAFUMU (Uganda) said that the United Nations had made laudable efforts to eliminate racism and racial discrimination, and that the International Convention on the Elimination of All Forms of Racial Discrimination provided the ideal legal framework for the struggle against those scourges. The Programme of Action for the Second Decade was a bold attempt to enhance and coordinate the efforts of States, international organizations and non-governmental organizations. Her delegation supported the proposal by the Coordinator for the Second Decade to Combat Racism and Racial Discrimination that indicators or criteria should be developed to measure progress in the struggle against racism. She welcomed the proposal for a Third Decade, to be launched in the same year as the World Conference on Human Rights and thought that its programme of action should be based on an in-depth evaluation of the Second Decade, should address new forms of racism and should place greater emphasis on specific measures for the promotion of tolerance, such as educational activities and consciousness-raising programmes, in addition to legislation and the development of norms. It should also place more emphasis on practical assistance at the national level.

73. The end of the cold war had ushered in a new era of cooperation that had been expected to foster the peaceful resolution of ethnic conflicts, which had often been fueled by foreign interference. Unfortunately, there had been a rise in ethnic tension in many regions. Her delegation hoped that peace would return swiftly to Yugoslavia. Her own country, whose borders had been drawn by the stroke of a pen at a Conference in 1884, was composed of many ethnic groups, and it was currently struggling to promote national unity and seeking to establish a legislative base, with the involvement of people from all different groups.

74. Her delegation welcomed the positive developments in South Africa; the legislative reforms and the agreement recently concluded between the Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) on the repatriation of South African refugees. Nevertheless, the struggle against apartheid was far from won: the black majority still could not vote and not all political prisoners had been released. The adoption of a new constitution was imperative for the creation of a united, non-racial and democratic South Africa. Her delegation deeply regretted that, at a time when increasing emphasis was being placed on the respect for human rights, some members of the international community had opted to relax sanctions against South Africa. Uganda called on the international community not to abandon the black majority in its struggle for the total eradication of apartheid.

75. With regard to the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racism and Racial Discrimination (A/46/447), her delegation was pleased to note that the Committee had been able to hold its meetings as scheduled. As one of the least developed countries, Uganda was faced with serious financial constraints that affected its contributions to all international organizations and bodies, including that Committee. Since the elimination of racism and racial discrimination was a priority, the General Assembly should consider financing such work from the regular budget.

(Mrs. Semafumu, Uganda)

76. With reference to agenda item 93, her delegation was confident that, with the adoption of Security Council resolution 690 (1991), the referendum in Western Sahara would be held as soon as possible. On the other hand, it remained concerned that the people of Palestine were still being denied their right to self-determination, despite countless General Assembly resolutions. It welcomed the United States efforts to convene a limited international conference on the basis of Security Council resolutions 242 (1967) and 338 (1973), and deplored the policy of constructing new settlements for Jewish immigrants in the occupied territories.

77. Mr. FISENKO (Belarus) said that his country was a party to the International Convention on the Elimination of All Forms of Racial Discrimination and to the International Convention on the Suppression and Punishment of the Crime of Apartheid and was working fully to implement the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. Belarus supported efforts to do away with the vestiges of apartheid in South Africa and with any of the manifestations of racism in other parts of the world. It likewise welcomed the constructive dialogue begun in the Committee on the Elimination of Racial Discrimination during the discussion of country reports and the practice of appointing country rapporteurs, which allowed the Committee to focus on more specific dialogues with the experts. His delegation continued to favour the establishment of closer coordination between the various United Nations human rights bodies, and applauded the first steps taken to strengthen the links between the Committee on the Elimination of Racial Discrimination, the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities. His delegation had found the Committee's report very interesting, especially its important contribution to the Preparatory Committee for the World Conference on Human Rights. It supported the Committee's decisions in recent sessions concerning the universalization of the International Convention on the Elimination of All Forms of Racial Discrimination and concerning delays in submission of periodic reports by States parties. Those decisions should be reflected in the resolutions adopted by the Third Committee on the item. In addition, the financial situation of the Committee on the Elimination of Racial Discrimination must be improved.

78. Belarus supported the full implementation of the Programme of Action for the Second Decade and was ready to contribute to the preparations for a Third Decade.

79. The recognition of the right of peoples to self-determination was a prerequisite for better observance of human rights and was an essential part of the historical process, as clearly demonstrated by recent events and by the growing number of countries fighting for independence and achieving their objective.

(Mr. Fisenko, Belarus)

80. In the specific case of Belarus, on 27 July 1990 the Supreme Soviet had adopted a declaration on the sovereignty of the Republic, and on 27 August 1991 that historic document had been given constitutional status. Subsequently, the Parliament had proceeded to change the name of the country and had introduced new State emblems.

81. The concept of sovereignty of the Republic of Belarus was based on the power of the people and territorial integrity and was made manifest in the country's right to take autonomous decisions concerning the destiny of its people and its political and economic structures. Through a truly democratic system of expression, Belarus would guarantee to all citizens physical inviolability, personal fulfilment, full enjoyment of their freedoms and decent living and working conditions.

82. By declaring its sovereignty, Belarus had ended a totalitarian system and paved the way for greater participation by the people in public affairs.

83. In order to achieve its objectives, Belarus would have to correct the enormous errors made in the past and cope with the terrible consequences of Chernobyl, but it was making steady progress towards the exercise of genuine sovereignty.

84. To that end, new organizations and entities were constantly being created on a pluralistic basis to consider development problems and other problems that had formerly been concealed, such as the problems of linguistic and cultural minorities. With regard to regional conflicts, Belarus considered that the rule of law and not the law of the jungle should prevail.

85. In conclusion, he expressed his solidarity with all peoples struggling to exercise their right to self-determination.

86. Mr. MYA THAN (Myanmar), speaking in exercise of the right of reply, said that the representative of the Netherlands, speaking on behalf of the twelve countries of the European Community, had stated that the Myanmar authorities had failed to respect the mandate conferred by the Myanmar people in May 1990 and to introduce a multi-party democratic system and that the European Community therefore urged the Myanmar Government to initiate a democratic process, respect the norms pertaining to human rights and release political prisoners. In the same context, the representative of New Zealand had stated that a democratically elected Government was unable to take office in Myanmar.

87. Myanmar appreciated constructive comments from other delegations concerning the well-being of the Myanmar people, but the questions raised by those two delegations were outside the scope of agenda item 93 currently under consideration by the Committee, since they fell essentially within the domestic jurisdiction of his country.

(Mr. Mya Than, Myanmar)

88. Nevertheless, he wished to set forth a few objective facts concerning his country in order to set the record straight. The Myanmar authorities had abolished the one-party system and instituted the current multi-party system. They had also adopted a market economy system and enacted new laws and regulations in keeping with the multi-party system and repealed or amended old laws incompatible with it.

89. With regard to the point raised by the representative of New Zealand, it should be noted that since the Constitution of the former regime was no longer in force, the framing of a new constitution was a prerequisite for forming a strong and stable Government. The Minister for Foreign Affairs of Myanmar, in his statement to the plenary Assembly on 4 October 1991, had explained clearly the post-election constitutional and political process. Myanmar did not practise the cult of personality of an individual but was striving to establish a democratic State in the interests of the entire Myanmar people.

90. With regard to the question of human rights, Myanmar had cooperated closely with the Commission on Human Rights, and had provided it with all the information sought. Furthermore, in 1990 it had welcomed the visit of an independent expert appointed by the Commission.

91. There were no political prisoners in Myanmar. There were currently over 70 political parties which could carry out their activities freely in keeping with the existing laws.

92. Lastly, he noted that the Netherlands representative had referred to his country as "Burma". Since the name of the country had been changed from Burma to Myanmar in accordance with the wishes of the Myanmar people and Law No. 15/89, it was incorrect to refer to the country by its old name.

93. Mr. NAIM (Israel), speaking in exercise of the right of reply, said that he wished to add something to the words of the representative of Syria who, when referring to Israel's so-called occupation of the Golan Heights, had forgotten to mention that it had occurred as the result of a Syrian war of aggression against Israel. In 1948, 1956, 1967 and 1973, Syria had launched a total war of aggression against Israel without provocation. Between those wars, Syrian soldiers stationed in the Golan had continued to shoot, not at soldiers or military personnel, but at peace-loving Israeli farmers. Israel had therefore arrived in the Golan for the simple reason that it had to protect Israeli citizens.

94. It was not possible to achieve a roll-back by going to the United Nations and asking that the status quo ante be re-established and then launching another war. Syria still considered itself to be at war with Israel. The way to solve the problem was through peaceful negotiations. He therefore urged Syria to end its aggressive acts against Israel, recognize Israel's independence and sign a peace accord with Israel, since that was the only way to achieve a better world for all concerned.

(Mr. Naim, Israel)

95. With regard to the question of human rights, it sufficed to consider the events in Hama, where the human rights of Syrian citizens themselves were being violated, not to mention those of other minorities living in that country. If Syria really wished others to do as it said, it should begin by putting its own house in order, and then ask others to do the same.

96. Mr. JAAFARI (Syrian Arab Republic), speaking in exercise of the right of reply, said that whenever the representative of Israel felt himself disarmed and weakened by the crushing weight of a reality based on consensus he sought to engage in stale interpretations of confused events and to advance pretexts aimed at justifying measures that were unacceptable from every point of view. He referred the Commission to an article by a Jewish writer in the October issue of Le Monde Diplomatique, entitled "Rancour and fear in the Oriental communities in Israel as a result of the wave of Soviet immigration". The article described the current situation and said that Palestinian workers were being replaced by Soviet immigrants, which obliged employers to improve working conditions and increase wages. For most of peace advocates, the struggle against the occupation and the dialogue with the Palestinians had been replaced by the mobilization of all efforts with a view to integrating the Soviet immigrants through a national endeavour based on consensus.

The meeting rose at 5.35 p.m.